

### **REMARKS**

Claims 1, 11-19, 26, 29-33, and 51-69 are pending in the application with Claim 1 being the sole independent Claim.

In this paper Claims 16, 30, 31, and 51-69 have been amended. Claim 16 has been amended to properly depend from Claim 15. Claims 30 and 31 have been amended to properly depend from Claim 29. Claims 52-55, and 63-68 have been amended to remove the recitation of the amino acid at position 10 since this is the same as in SEQ ID NO:66. Claims 51-69 have been amended to remove the specific amino acids recited for positions 292 and 293. No new matter is believed to have been introduced.

SEQ ID NO: 66, in the Sequence Listing filed herewith, now identifies Lys at position 295, and Xaa at positions 292 and 293, consistent with the originally filed Sequence Listing. The Sequence Listing has been amended at position 294 of SEQ ID NO:66 where Ile has been replaced with Xaa and the <223> identifier defined under Misc\_Feature has been defined as Xaa=Thr or Ile. Support for these changes are found in the Specification as filed, specifically on page 42, line 23 and claims 1 and 2. No new matter is believed to have been introduced.

### **Specification**

The specification was objected to pursuant to 35 U.S.C. §132 "because it introduces new matter into the disclosure." See Office Action, page 2, paragraph 2. Specification. The Sequence Listing filed with the response dated February 5, 2005 was was said to be different from that originally filed.

A replacement Sequence Listing is included herewith. This Sequence Listing corrects typographical errors in the Sequence Listing submitted with the response dated February 5, 2005. SEQ ID NO: 66, in the Sequence Listing filed herewith, now identifies Lys at position 295, consistent with the originally filed Sequence Listing.

The Ile amino acid at position 294 of SEQ ID NO:66 has been replaced with Xaa. Also, the <223> identifier at position 294 is defined as Ile or Thr, thereby correcting typographical errors in the originally filed Sequence Listing. Support for this change is found in the Specification as filed, page 42, line 23 and in original claims 1 and 2. No new matter is believed to be at issue. Further, M.P.E.P. 2420

indicates that nucleotide and amino acid sequence data is not related to the disclosure requirements of an invention. Removal of the 35 U.S.C. § 132 objections is kindly requested.

### **Claim Rejections**

#### **35 U.S.C. § 112, second paragraph**

Claims 16, 30, 31, and 51-69 have been amended as follows. Claim 16 has been amended to read "eukaryotic cell of Claim 15" as suggested on paragraph 7 of the Office Action. Claims 30 and 31 have been amended to read "the method of Claim 29 wherein the eukaryotic cell" as suggested on paragraph 8 of the Office Action.

Recitation of specific amino acids Thr or Ile at position 294 of Claims 51-69 has not been amended. The amended Sequence Listing included herewith defines position 294 of SEQ ID NO:66 as Thr or Ile in accordance with page 42, line 23 and claims 1 and 2 of the Specification as filed. Thus, the amended Sequence Listing filed herewith corrects typographical errors in the originally filed Sequence Listing.

The amendments mentioned above make the 35 U.S.C. § 112, second paragraph rejections moot. Removal of the 35 U.S.C. § 112, second paragraph rejections is kindly requested.

#### **35 U.S.C. § 112, first paragraph written description**

The amino acid sequence of SEQ ID NO: 66 at position 295 is now Lys, consistent with SEQ ID NO: 66 of the originally filed Sequence Listing.

Claims 51-69 have been amended to remove the specific amino acids recited for positions 292 and 293 since these positions recite Xaa and may be any amino acid, consistent with the originally filed Sequence Listing.

Accordingly, these changes overcome the 35 U.S.C. § 112, first paragraph written description rejections. Removal of the 35 U.S.C. § 112, first paragraph written description rejections is kindly requested.

Please charge any fees associated with the filing of this response, including but not limited to the Extension of Time to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company). If the fee is insufficient or incorrect, please charge or credit the balance to the above-identified deposit account.

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,



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